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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1617

ULRICH POSANSKI

Examiner: Wang

APPLICATION NO: 10/040,842

FILED: JANUARY 7, 2002

FOR: PHARMACEUTICAL COMPOSITIONS FOR SPARINGLY SOLUBLE  
THERAPEUTIC AGENTSAssistant Commissioner for Patents  
Washington, D.C. 20231REPLY AND AMENDMENT

Sir:

This is in response to an Office Action dated January 15, 2003.

IN THE CLAIMS:

Cancel claims 11-22 and add claims 23-31

23. (new) A pharmaceutical composition comprising a solubilized therapeutic agent which is cyclosporin A or cyclosporin G and a carrier composition, said carrier composition comprising:

- b1
- a) about 10-50% by weight, based on the carrier composition, of a polyglycerol fatty acid ester co-surfactant which is substantially pure or which is in the form of a mixture, having a hydrophilic-lipophilic balance of less than 10 (HLB value according to Griffin);
  - b) about 5-40% by weight, based on the carrier composition, of a pharmaceutically acceptable oil which is substantially pure or which is in the form of a mixture, comprising a triglyceride as essential lipophilic component; and
  - c) about 10-50% by weight, based on the carrier composition, of a nonionic surfactant which is substantially pure or which is in the form of a mixture, having an HLB value of more than 10;
- and further optional pharmaceutically acceptable excipients.